

CHAPTER TWENTY-THREE

ADVERTISEMENT REGULATIONS

The Commissioners of Christian County, Missouri have voted to add the Christian County Advertisement Regulations Ordinance Number: 12-22-95-6 and the Revised Ordinance Number: 7-5-96-1 as Chapter Twenty-Three (23) to the Unified Development Codes.

Section 23-10

- A. **Purpose** - This regulation is intended to provide for the orderly management of outdoor advertisement and to promote the safety, convenience and enjoyment of travel and to preserve the natural beauty of Christian County.
- B. **Authority** - This code is adopted pursuant to the authority of RSMo sections 226.500 to 226.600 which allows local zoning authorities to regulate advertising structures relative to size, lighting, spacing, and location.
- C. **Severability** - If any portion of these regulations or their application to specific circumstances is held invalid by a court, the remainder of the regulations and their application in other circumstances shall be unaffected.

Section 23-15 Conflicts with Other Provisions -- Nothing contained herein shall be deemed as a waiver of the provisions of any other ordinance or regulation applicable to signs. Signs located in areas governed by several ordinance and/or applicable regulations shall comply with all such ordinances and regulations. If there is a conflict between this title and any other ordinance or regulation, the more stringent shall apply.

Section 23-20 Definitions

- 10 **Abandoned Sign** - Any advertising structure which has no copy on the display area for a period of twelve (12) months or an advertising structure which has not received a permit or registration number display, devise, figure, painting, drawing, message, plaque, poster, billboard, or other thing designed, intended or used to advertise or inform, any part of the advertising or information contents of which is visible from any point of the traveled ways of Christian County.
- 15 **Display Area** - The area of an advertising structure including the entire area within a regular geometric shape enclosing all of the elements of informational or representational matter displayed, including blank masking or any surface shape intended to convey ideas, information, or meaning. Frames of structural members not bearing informational or representational matter shall not be included in calculating the display area.

- 20 **Maximum Height** - The maximum vertical distance measured from adjacent natural grade or the adjoining road surface to the highest point of the advertising structure or display area.
- 25 **Maximum Size** - The allowable square footage of display area per side, inclusive of embellishments but not including the base, supports or other structural elements.
- 30 **Minimum Spacing** - The minimum radius between Advertising Structures, as measured from the nearest points of the supporting structures as measured from nearest pole to nearest pole.
- 35 **Non-Conforming Advertising Structures** - An advertising structure which was lawfully erected but which does not conform to the requirements of this regulation or State statutes enacted at a later date or which later fails to comply with this regulation due to changed conditions.
- 40 **Off-Premise** - An advertising structure which is not located on the specific site for which the advertising or information indicates. Development directional signs are not considered off-premise.
- 45 **On-Premise** - An advertising structure which is located on the specific site, but not attached to the structure, for which the advertising or information indicates.
- 50 **Registration Number** - An issued number by the Planning and Zoning Department which specifically identifies an existing advertising structure.
- 55 **Scenic Area** - Any designated area of particular scenic beauty or historical significance as determined by the state, federal or county officials having jurisdiction thereof.
- 60 **Sign Permit** - An issued number by the Planning and Zoning Department which authorizes an advertising structure to be erected and which identifies that structure specifically.
- 65 **Temporary Permit** - An advertising structure permit which is valid only for a specific period of time. Once the time period is exceeded the advertising structure must be removed or have a renewed or extended permit issued by Planning and Zoning.

Section 23-30 Permitted Locations

- A. **District I** - US Highway 65, US Highway 160, US Highway 60, and Missouri Highway 14 within Christian County.
- B. **District II** - All numbered state highways and all lettered state highways in Christian County which are not in District I.
- C. **District III** - All other roads, streets, and highways in Christian County which are not in District I and II.

Section 23-40 District I:

- A. Provisions** - All advertising structures shall conform to the requirements of the Missouri State Highway and Transportation Department for a divided four-lane limited access primary route with the following additions:

1. Maximum Size 800 sq. ft per side
2. Maximum Height 50 ft
3. Minimum Spacing 800 ft (and 800 feet from interchange ramps)

The minimum spacing requirement shall only apply to distances between an off-premise advertising structure and any other on-premise or off-premise advertising structure. Distances between on-premise advertising structures shall not be governed by this spacing requirement.

B. Special Provisions:

1. Off-premise advertising must be either on property used for an operating commercial or industrial land use, or within 300' of the property line of a commercial or industrial land use.
2. A Division III permit is required for the construction of any off-premise advertising structure. (Refer to Chapter Seven – Division III Permits) In granting a Division III permit, the Planning and Zoning Commission may require conditions mitigating the impact of the off-premise advertising structure on surrounding properties.
3. The Planning and Zoning staff may refer an on-site advertisement sign application to a Division II process in cases where it may affect the neighboring properties and/or traffic safety.
4. Illuminated advertising structures shall be designed, located, oriented, and constructed to eliminate direct light and significantly reduce glare on any property not under the same ownership and control that the advertising structure is located on. The lighted area will be confined to the display area of the structure intended and shall not increase the lighting intensity upon adjoining premises not under the same ownership and control. Within 300 feet of any residence no illumination of an advertising structure shall occur between the hours of 11:00 P.M. and 7:00 A.M.

Section 23-41 District II:

- A. **Provisions** - There will be no off-premise advertising structures allowed. All advertising structures shall conform to the following specific requirements as well as special provisions within this regulation:

1. Maximum Size 200 sq. ft per side
2. Maximum Height 25 ft
3. Minimum Spacing 300 ft

- B. **Special Provisions** - Ad structures must be:

1. Not within 100 feet of any residence
2. The Planning and Zoning staff may refer any on-site advertisement sign application to a Division II process in cases where it may affect the neighboring properties and/or traffic safety.
3. At least 25' from any side or rear property line (residential or otherwise)
4. Externally illuminated advertising structures are prohibited
5. Internal illuminated advertising shall be designed, located, oriented, and constructed to eliminate direct light and significantly reduce glare on any property not under the same ownership and control that the advertising structure is located on. The lighted area will be confined to the display area of the structure intended and shall not increase the lighting intensity upon adjoining premises not under the same ownership and control. Within 300 feet of any residence no illumination of an advertising structure shall occur between the hours of 11:00 P.M. and 7:00 A.M

Section 23-42 District III:

- A. **Provisions** - There will be no off-premise advertising structures allowed. On premise advertising structures shall conform to the following specific requirements as well as special provisions within this regulation.

1. Maximum Size 100 sq. ft per side
2. Maximum Height 20 ft
3. Minimum Spacing 200 ft

- B. **Special Provisions**- Ad structures must be:

1. Not within 100 feet of any residence
2. At least 25' from any side or rear property line (residential or otherwise)
3. Externally illuminated advertising structures are prohibited
4. The Planning and Zoning staff may refer any on-site advertisement sign application to a Division II process in cases where it may affect the neighboring properties and/or traffic safety.
5. Illuminated advertising structures shall be designed, located, oriented, and constructed to eliminate direct light and significantly reduce glare on any property not under the same ownership and control that the advertising structure is located on. The lighted area will be confined to the display area of the structure intended and shall not increase the lighting intensity upon adjoining premises not under the same ownership and control. Within 300 feet of any residence no illumination of an advertising structure shall occur between the hours of 11:00 P.M. and 7:00 A.M.

Section 23-45 General Provisions

- A. **Setbacks** - A minimum of a fifteen (15) foot setback from the right-of-way, any easement of record, or utility line is required for any portion of an advertising structure.
- B. **Display Area** - A single advertising structure is limited to two (2) display areas. The maximum display area shall apply to each side of a structure. Display areas may be placed back to back or in a "V" type construction.
- C. **Ground Elevation** - The original elevation of the ground shall not be altered in order to create a conforming advertising structure.
- D. **Exemptions** - Federal, State, and County government advertising structures and utility warning signs are exempt from these regulations.
- E. **Development Directional Signs** - A temporary permit is available for those developments (residential, commercial, or industrial) which are in the construction phase. The following conditions apply:
1. Temporary permit cost is fifty (\$50.00) dollars
 2. Permit is issued for one (1) year
 3. The advertising structure will be limited to fifty (50%) percent of the district requirements for size and height.
 4. While the development is under construction, a one (1) year extension may be authorized. The fee for an extension is \$100.00.
- F. **Signs Exempt from Permit** - The following non-illuminated signs may be erected in compliance with this title without the issuance of a sign permit. Such signs may be permitted in addition to all other signs permitted and shall conform to setbacks and other physical characteristics. These signs which are exempt from permit need not meet the spacing requirements for their district and are limited to a maximum of a 4' x 8' display area with the following conditions and exceptions:
- Signs in this category include.**
1. Real estate signs located on site
 2. Construction/Builder signs
 3. Yard/garage sale announcements
 4. Public Signs
 5. Memorial signs
 6. Flags
 7. Holiday decorations
 8. On-site information signs
 9. Window signs
 10. Political signs
 11. Special events signs
 12. On-premise public school signs
 13. Agriculture use
 14. Church identification, bulletin boards
 15. Licensed and operable motor vehicles

- G. **Advertising Structures Characteristics** - Advertising structures which have any moving, flashing, waving, or other distracting characteristics must be specifically approved by the Planning and Zoning Department staff. All electronic message signs must stay lit for at least 8 second intervals. In no case shall an advertising structure mimic an emergency service vehicle.
- H. **Electronic Variable Message Signs** – Electronic variable message signs, both informational and commercial in nature, which function as multiple-faced signs, with illumination, are allowed when permitted, provided such signs do not interfere with traffic safety.
- I. **Posting of Permits and/or Registration Number** - The advertising structure owner or property owner of record shall be responsible for posting the permit number, which shall be weather resistant, to the attached at all times thereafter. The Planning and Zoning Department shall supply only the permit number. The applicant shall supply the weather resistant placard, board, or material to attach to the advertising structure.

Section 23-50 Home Occupations - shall not be used to establish commercial viability for advertising structures.

Section 23-55 All Existing Off-Premise Advertising Structures requiring a permit and/or registration number must file for said permit and/or registration number prior to June 1, 1996 or the advertising structure will be deemed non-conforming.

Section 23-60 Wall Signs -These signs shall extend no further than eighteen (18) inches from the wall. A wall sign is a sign in a parallel plane to and attached, installed, painted, engraved or etched upon a structure's wall, awning, canopy, marquee, parapet, sun shield, window, door or similar item. Wall signs do not include signs on the inside or outside of windows except that any signs on the outside of the window, which do any advertising beyond merely identifying the business and giving the times it is open, shall be subject to the total square footage limitations for the district in which the business is located. A wall sign shall not extend beyond the wall edge either parallel or perpendicular to the structure shall not extend above the parapet of the structure face and Wall signs shall have a \$25.00 registration fee.

Section 23-65 Permit/Registration System

- A. **Permit applications must include**, at a minimum, the following:
1. Completed application
 2. Application signed by the property owner of record, or a notarized copy of the lease agreement (financial information can be blanked out). Not required for existing structures.
 3. Plot plan or site plan, drawn to scale containing the following:
 - a. Dimensions of the property in question.
 - b. Distance to the closest off-premise sign as measured radially from the nearest portions of the signs or sign structures of the proposed sign.
 - c. Any easements, storm detention or drainage areas.
 - d. Width of driveways and right-of-way.
 - e. Locations of and distance from on-premise, detached signs.
 - f. Dimension to closest residential use(s).
 4. Color photograph of structure after construction is complete.
 5. An approved permit from the Missouri Highway and Transportation Commission where required.
 6. Legal description of the property location of the proposed sign, such as a copy of the recorded warranty deed with the date of recording from the Christian County Recorder of Deeds.
 7. Any other pertinent information requested by staff.
- B. **Permit Required** - All NEW advertising structures are considered to be structures requiring a Sign Permit.
- C. **Existing off-premise Advertising Structures** must register and receive a designated number.
- D. **Abandoned Advertising Structures** must be removed.
- E. **Engineered Plans** must be submitted with the application for all advertising structures which are greater than 25 feet in height or have more than 201 square feet of display area. The applicant must submit 3 copies of the plans to the Planning and Zoning office. One copy will be sent to the County Engineer for review and approval at the applicant's expense. Once the County Engineer assures that the plan meets the County standards, the County Engineer will release the approval letter after the applicant has paid the fees. These engineering plans must be prepared to scale and designate the following information.
1. All dimensions of the proposed sign to include the structure and all extremities including lighting.
 2. Dimension and height from grade to bottom of surface of sign area.
 3. Dimension and height from grade to uppermost portion of the sign.
 4. Street grade.
 5. Illumination report for lighting.
 6. Sign materials, details of construction design and anchorage including required calculations.

7. The plans shall be sealed by a licensed architect or engineer registered in the State of Missouri.
 8. Any other information deemed necessary by the Planning and Zoning Staff.
- F. Existing Advertising Structures** not engineered are not required to submit engineered plans.
- G. Filing Fees** for applications will be assessed per structure (unless otherwise provided) as follows: NEW advertising structure filing fees:
1. \$25.00 per structure with the sum display area total up to 100 sq ft
 2. \$50.00 per structure with the sum display area total of 101-200 sq ft
 3. \$100.00 per structure with the sum display area total of 201-400 sq ft
 4. \$300.00 per structure with the sum display area total of 401-600 sq ft
 5. \$500.00 per structure with the sum display area total greater than 600 sq ft
- H. Registration Fees** for existing off-premise advertising structures shall be fifteen (15%) of the filing fee for new advertising structures with a minimum of \$20.00

Section 23-70 Special Provisions for Non-Conforming Advertising Structures

- A.** Any non-conforming advertising structure, which is deteriorated or damaged shall (if replaced) be rebuilt in compliance with this ordinance. A deteriorated or damaged advertising structure is one which needs or requires the repair or replacement of 50% or more of the poles or vertical supports. A non-conforming sign damaged by vandalism may be repaired without being in violation of this section. The sign owner has the burden to prove that the structure was damaged by vandalism.
- B.** Non-Conforming advertising structures are prohibited from changing the type of materials used in the construction of the advertising structure, increasing the size of the advertising structure, increasing the height of the advertising structure, or increasing the illumination of the advertising structure.

Section 23-75 Violations and Removal of Advertising Structures

- A.** Advertising structures which are deemed abandoned, structures built in violation of this ordinance, permitted structures maintained or altered in a manner which violates this ordinance, or non-conforming structures which have violated the special provisions set out for their maintenance will receive a violation notice. The violation notice shall identify the violation and the action necessary to correct the violation, which may include the removal of the advertising structure. The violation notice shall also establish the length of time, a maximum time of sixty (60) days, which is available for taking remedial actions or removing the advertising structure. If the advertising structure is in violation of these codes when an application is applied for, the filing fee shall be doubled.

- B.** Any person, firm, entity or corporation that fails to comply with or violated any part of this regulation shall be deemed guilty of a misdemeanor and be subject to a fine of not more than one thousand dollars (\$1,000) or imprisonment for a period not to exceed one (1) year, or both. Each day of violation shall be considered a separate offense.

Section 23-80 Board of Adjustment:

The Board will consist of members set forth in Section 4-60. Board of Adjustment Hearing procedures are referred in Section 4-65. Variances shall meet requirements in Section 4-67 and appeals shall meet requirements in Section 4-68